

1689

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SEASONABLE WORD:

TENDERED

To the serious Consideration of all men engaged in the Good Old CAUSE, which hath Cost these three Nations so much Blood and Treasure, and therefore not to be given up to the Tyranny and Arbitrary will of any single Person whatsoever.

By a Lover of the deare bought Freedomes of this Common-wealth.

It hath been the great Civil happiness of the English Nation to enjoy the Liberty of their Persons and Estates, under God, by the Strength and countenance of a known Law.

What troubles, distractions, vast expence of Treasure and effusion of English blood, have been occasioned in the Nation, in several Ages by the encroachment made upon these Liberties by several Monarchs, in their exercise of Arbitrary Government doth fully testify appear in our English Chronologies.

And what a solemn final judgment after solemn Appeals to the great God, was given by God himself for the Rights and Liberties of the People of this Nation against Monarchy, with the hazard and losse of the lives of many thousands of our dear Friends and Countrymen in the late Wars, is fresh in the memory of every observing English Spirit.

And upon all the execrable mischiefs of Monarchicall government, what an happy [30. Jan 1648] law was made for the Change of that Government into the Estate of a Commonwealth, and how Penal it was made for any Person or Persons whatsoever to Proclaim Charles Stuart, or any other single Person to exercise the Office or Power of King or Chiefe Magistrate of this Nation, appears by the law in Print and the Record it self.

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After

After the late Obstruction given to life of that Law, by the pretended dissolution of the *Renowned Parliament*, and the *Constitution* that had like to have been brought upon the Nation, by those eminent dislocations of the joints of it: It was found Necessary, to have recourse to some thing like to the great Council of the Representatives of the People called a Parliament (which hath alwayes been under God, the only salve for our Nationall distempers) for something towards a settlement.

But that not answering the Ends that were it seems expected from it, the Government was assumed and Managed for some time, by a single Person, and by him and his Councell, Laws and Ordinances were made and imposed upon the People, and Taxes raised out of their Estates, by an absolute Arbitrary Power, without the least shadow of the Consent of the People in Parliaments.

After that, it was thought safer to attempt the settlement of the Government in a single person, by a new Parliament, which not effecting that work, was dissolved also by the power of that single Person.

And in the Parliament in the year 1657. was produced an Act, entitled *The Humble Petition and Advice*, whereby the Supream power was settled in a particular single Person, with Power during his Life, to appoint and Declare, a Person who should immediately after his death succeed him to the Government of these Nations.

Though much might be said in convenient time and place to the invaliding of that Law, both by reason of the forcible keeping out of so considerable a number of the Members, duly Chosen, till that Act was past contrary to all Priviledge and Precedents of Parliament, and that the same was huddled up in an unparliamentary way, by those that did sit, and carried in the Affirmative, by not above three or foure Voyces: yet admitting that to be a Law,

It is humbly Offered to serious and sad Consideration.

I. Whether the Appointment and Declaration of that appointment, ought not by the intention of that law to have been so publickly done in the life time of the Person appointing, that the People might have due notice of the Person so Declared? For otherwise it was possible some of the abolished Family might have been in a clandestine way appointed; and then after the death of the then single Person obtruded by surprise upon the People: And to prevent such a mischief, it seems clearly, the Parliament added, That this Appointment should be DECLARED, and that in the single Persons life time; that so the People might have time, either by Argument or otherwise as God and Nature should suggest unto them, to prevent or remove so great a mischief.

II. Whether the Appointment and Declaration by the intent of that Law ought not to be by Writing under hand and seal, if not upon Record, whereby it might appear, that the Person appointing and declaring, was of advised and disposing memory for to great an Affaire: For that if a private person cannot by Will dispose of one Acre of his own land, but by writing at least, if not under hand and seal, it cannot be rationally intended, that the makers of that law ever meant so great a Concernment as the being and well being of three Nations should be left, to be sworn out by any who had a minde to pretend a Title to the Government thereof, or should be put on by others to such an undertaking?

III. Whether it can be intended in law or reason, that any Persons are fit Judges to determine whether an Appointment and Declaration made or pretended to be made, be valid and according to the intention of the law: but the great Council in Parliament, especially such persons as are Interested, or claime their Power of Judicature from the Person so appointed and Declared.

IV. Before such judgement and sence of Parliament given, after the death of that single Person, whatever pretence may be to an appointment or what ever any particular persons may take upon them to Declare? Whether there be or can be any single Person, or any Successor legally in being, who may be said to have the legal Government of these three Nations, contrary to the expresse Act of Parliament before mentioned: Especially, where the common Fame renders the Appointment dubious and interpretative.

And the people kept wholly in darkness, as to what kin'd of Appointment it was if any were.

V. If ill such Judgment be Declared by Parliament, there be an absolute suspension at least, of the Power of any single Person or Supreme Governor of these three Nations, and no Parliament sitting, to regulate Affairs. In what a sad condition the Nation is; What visible Legal Power is there to issue out Commissions for the punishment of any Treasons, Murders, Felonies, Rapes, Tumults and disorders, whatsoever: And whether there be any safety for the Person now Declared and his Council, if there be not law extant to punish any Treasons against him or them; If the Act of the humble Petition and Advice be now dead with the late Protector, by a special providence of God, for want of a legal Appointment and Declaration of a Successor. And whether Orders and Commandments of the Person now in Power, or his Council be obliging to the Free-people of this Commonwealth, and with what safety the Judges or Justices of Peace can Act under such a Power? And what security hath any Englishman for the enjoyment of the Propriety of his Lands or goods? Whether there be any visible way to raise moneys for the payment of the Officers and Souldiers of the Nation, both by Sea and Land, and securing of it from being made a prey to a Foreign or Domestic Enemy: whose contrivances must needs be heightened to bring about their destructive designs in such a juncture as this? And whether upon all this, there be not an absolute Necessity, for the speedy calling of a Parliament in such a way, as upon mature advice shall be adjudged consistent with the most legal foundations?

VI. Admitting there be an Appointment and Declaration of a Successor, according to the intent of that Law; yet that single Person being Authorized by that Law to Appoint and Declare *pro hac vice* onely, and no Power left by that Law, for that Successor to Appoint and Declare another to succeed him in case of Mortality (as neither the greatest nor the youngest Person hath any ground to promise himself exemption that way) Whether in that respect also there be not an eminent Necessity, for the speedy calling of a Parliament, for a further settlement to prevent the mischiefs of an Interregnum, an advantage which the Enemies of the publique Peace at home and abroad might gape after to improve.

VII. Whether

VII. Whether the subject matter of the late Addresses had they been made by the People, and not wrought about in inconsiderable numbers, by interested Persons, by indirect means, and presented in the names of whole Counties and Corporations, would not have been for the speedy calling of a Parliament; who can only secure the Persons and Proprieties of the People, and not cryed up a Thing without any colour of Law, so dangerous and destructive to their own well being.

VIII. Admitting the Necessity of the speedy calling of a Parliament: whether there be any legall Foundation, for the issuing out of Writs for that purpose, as may be with safety to the Common wealth: For that, by the Triennial Act (which is the only Law in being, that looks that way) the since abolished House of Lords must be also called by that Act, and there are no qualifications there established, for the persons Electors, or to be Elected, and so the Interest of the Family of *Charles Stuart*, and therewith Confusion every way may be more than probably introduced again.

IX. And therefore *Quere*, Whether the providence of God seems not directly to point at the Calling of the old Members together again in Parliament, who changed the Government of these Nations from a chargeable Tyrannical Monarchy, to a safe and free Common wealth? who were forcibly interrupted, though by the expresse words of the Act, they could not be dissolved without their own Consents? And the rather, that being the only legall Authority yet on foot, and have been all this while interrupted (as now too plainly appears) to make way for a personall Interest: whereby the people have a second experiment, how chargeable (besides other mischiefs) the Government by a single Person is, the late Protector having left the Nation a very vast summe in Debt, and nothing to pay it, but what must be raised out of the Peoples purses, at such a time as this, when Trade is dead, and the Nation in eminent danger of a sudden War with Forreign States, and yet a Funeral Pompe must be carried on, at a Charge beyond that of any former Kings of this Nation.

X. And howsoever it cannot be denied, there were many miscarriages in some Members of the Old Parliament, and that many things were acted too far towards the advancement of particular Interests, and the dissatisfaction of the Nation; Yet having by experience since found, far greater inconveniences in the Actings of

of a single Person; and all humane Constitutions being subject to error: It would not be forgotten, what great things have been done by the said Parliament, in the managing a War with the Common Enemy, and the good foundations they began to lay, and were laying, and had almost finished, when they were interrupted, and had in a few dayes finished the same, had they not been prevented; whatever hath been alledged to the contrary. The Care they took also for the payment of the Arrears of the Army, and making provision for their Constant pay: And the care that was then taken that no person was disbanded from the greatest Officer to the meanest Souldier without a Council of War: It would also be considered, what an opportunity, providence hath put into the hands of the Army, to call them together again, without the shedding one drop of blood, and that in a shorter time than any other visible way of settlement can be imagined, within fourteen dayes, or thereabouts. And this is likewise, if speedily effected; the only means, to prevent the old Family, which have yet high expectations and hopes; That if Monarchy must be established, after so long a discontinuance, it will Centre in them at last.

XI. Whether by the Death of the General, it be not undeniable that the Commissions of the Officers of the Army are all void, so that if opposition should be made against them, or they Comanded, or Commissioned by any Person to shed the blood of any person, whether it can be lookt upon by God or good men; otherwise than as Murder, none being in Power but a Parliament (if not the old Parliament) to give them new Commissions as the case now stands.

XII. The premises Considered, whether the good People of this Nation may not justly expect, That the Army not being mercenary, but a part of the People should at this time appear in their place, on behalf of themselves, and the whole Nation, if ever they will vindicate themselves from being accounted a Mercenary Army, and wholly resigned up, to the lust and ambition of any single Person, that shall pretend a Title to enslave the People: And the rather, because the people are not without the Army in any capacity, without great hazard to aske their Liberties effectually. But the Army being so many of the People, by the providence of God now in Arms, may aske and Demand their own,

and their Country-mens Freedomes, being equa'ly concern'd with out any hazarding their Persons, and need not fear a denyall.

And whether it be not fit for the Army to consider, how much their silence did encourage the late General deceased, to make that sad breach, upon the Liberties of the People, without which, he durst not have attempted, nor could have effected it. And although the Army might then be deceived with faire words; yet it is now visible how much of their, as well of the Peoples liberties, have been thereby entrencht upon.

And whether it be not now more honourable, for those of the Army, that have any sparks remaining of the good old Spirit in them, and any desires to be re-cemented in the good affections of their Country-men; and that their Posterities should inherite the Liberties, they have engaged for; however they may have hitherto been misled, through Temptation, rather to manifest their Repentance by going back to the point from whence they fell, and doing their first works, then to cast away the price that is put into their hands, and going further in a way, that so apparently tends to their own, at least, their Posterities, and their Countries ruine.

FINIS.